

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,  
Plaintiff,

Case No. 1:13-mj-328  
Litkovitz, M.J.

vs.

BRENNAN L. BALL,  
Defendant.

**ORDER**

Defendant Brennan L. Ball is charged by criminal complaint with assault on a federal officer in violation of 18 U.S.C. § 111(a)(1). (Doc. 1). This matter is before the Court on defendant's motion for conditions of release. (Doc. 10).

On May 10, 2013, the government moved for a determination of the defendant's competency under 18 U.S.C. § 4241 (Doc. 3), to which the defendant did not object. The Court thereafter ordered the defendant be committed to the Bureau of Prisons, pursuant to 18 U.S.C. § 4247(b), in order to determine whether the defendant currently is suffering from a mental disease or defect rendering him mentally incompetent to stand trial pursuant to 18 U.S.C. § 4241. (Doc. 7).

On May 20, 2013, counsel for defendant was informed that the defendant would be detained at the Butler County Jail for four to six weeks before the transport to FMC Devens can take place because of a backlog of cases at the Bureau of Prisons system. The defendant then filed his request for a bond hearing so that he may request an OR bond with conditions set by the Court. (Doc. 10). The defendant's motion is currently scheduled for a hearing on June 26, 2013. (Doc. 11).

On June 20, 2013, the Court was advised by and received confirmation from the United

States Marshals Service that FMC Devens is now prepared to accept the defendant for purposes of the competency examination and that transport has been scheduled for Monday, June 24, 2013 by the United States Marshals Service. In view of the defendant's impending transport to FMC Devens, the motion for conditions of release (Doc. 10) is **DENIED** as moot, and the defendant shall be transported to FMC Devens by the United States Marshals Service on June 24, 2013.

**IT IS SO ORDERED.**

Date: 6/20/13

  
Karen L. Litkovitz  
United States Magistrate Judge